

# Controlled Substances

## NMSU EH&S FACT SHEET

### PROCEDURE FOR PROPER MANAGEMENT AND DISPOSAL OF SCHEDULED DRUGS

#### **CONTROLLED SUBSTANCES ACT.**

The Controlled Substances Act, adopted in 1970 by the Drug Enforcement Administration (DEA), regulates the manufacturing and distribution of narcotics, stimulants, depressants, hallucinogens, anabolic steroids, and other drugs. The act aims to eliminate or reduce the amount of legally manufactured substances that enter the illicit drug traffic. The controlled substances fall into one of five categories called schedules. These schedules are ranked from I to V, with I being the most dangerous and addictive drugs and V being the least dangerous and addictive. Any person wanting to conduct research using controlled substances must first register with the State Board of Pharmacy <http://www.rld.state.nm.us/pharmacy/controlledsubstances.html> and secondarily with DEA <http://www.deadiversion.usdoj.gov/>. To find out which schedule a drug is listed under check the Controlled Substances List on either web site. The following will provide you with information on the proper disposal of controlled substances, reverse distribution vendors, along with storage and security procedures.

#### **STORAGE, INVENTORY AND SECURITY.**

All DEA controlled substances must be kept under lock and key and separate from all other drugs and chemicals. Inventory records must be maintained to ensure proper distribution for use as well as monitor expiration dates. The number of authorized personnel allowed access to the substances should be kept to a minimum for security precautions.

#### **DISPOSAL OPTIONS.**

The DEA strictly regulates the disposal of all controlled substances. There are two DEA approved methods of destroying the scheduled drugs. The proper disposal of scheduled drugs is the responsibility of each registered department or individual.

#### **REVERSE DISTRIBUTION FACILITY.**

This option gives the registrant the opportunity to send the controlled substance to a DEA-approved Reverse Distribution vendor where the waste can be disposed of, re-used, or re-sold. The registrant should contact the local DEA field office for a list of authorized Reverse Distributors. The registrant must complete either DEA Form 222 (for Schedule I and II drugs) or DEA Form 41 (for Schedule III, IV, and V drugs) during the transfer process. The form must be filled out entirely, this includes the original registration information for each DEA controlled substance. Copies of the form must be maintained for 3 years and on file at the laboratory.

- Under 21 CFR 1307.21, any person may request permission to dispose of controlled substances without the benefit of a DEA or State witness. In many cases, blanket permission for disposal of controlled substances is granted to registrants who have an ongoing need to dispose of unwanted controlled substances. DEA must authorize the disposal in writing and may require that a set schedule be established. Other registrants are granted disposal authority on a case-by-case basis. DEA normally requires that the registrant provide two designated responsible individuals to accompany the drugs to the disposal site and witness the destruction. This achieves DEA's goal of ensuring the controlled substances are rendered nonrecoverable. Disposal under the authority of 21 CFR 1307.21 maintains the closed distribution system because the controlled substances remain under the legal control of a registrant at all times.

Attached are the DEA approved return vendors that you can send your controlled substances to for disposal.

### **INCINERATION.**

The DEA allows controlled substances to be burned in an approved incinerator. This method requires that the registrant, a federal official, and a local law enforcement official to be witnesses to the destruction of the substance. However, DEA will entertain specific requests for alternate disposal.

EHS can assist with the disposal of scheduled drugs if the following conditions are met.

- The licensed registrant obtains explicit written approval to allow transfer of chemically inactivated scheduled drugs to Environmental Health & Safety for disposal through incineration as chemical waste.
- This requires the registrant to submit the proper DEA transfer form 222 or 41 accompanied by a specific request which outlines in detail the analytical process and waste streams that will be generated with a description estimated quantities and list of scheduled drugs. The request must describe that these waste streams will be transferred to EH&S for disposal by incineration through contracted chemical waste disposer and tracked by manifest documents.
- Environmental Health & Safety can be contacted at (575) 646-3327 and will review the draft request prior to submission to DEA.